



December 14, 2011

Don Fox
Acting Director and General Counsel
Office of Government Ethics
Suite 500
1201 New York Avenue, NW
Washington, DC 20005-3917

RE: Regulation Identifier Number (RIN) 3209-AA04, Proposed Amendments to Part 2635

Dear Mr. Fox:

This letter is submitted on behalf of the National Business Travel Association, Inc. d/b/a Global Business Travel Association (“GBTA”), the world’s premier professional association for business travel and meetings professionals. Collectively, GBTA’s 5,000-plus individual members manage over \$340 billion of global business travel and meetings expenditures annually. GBTA provides education and accreditation to its network of 17,000 business and government travel and meetings managers. We also provide news, education and professional development, research, and advocacy. We appreciate the opportunity to provide our views to the Office of Government Ethics (“OGE”) on the proposed rule to prohibit federal employees from attending events sponsored by trade associations and private companies.

GBTA understands the proposed rule is a result of OGE’s mission to foster high ethical standards for executive branch employees and to strengthen the public’s confidence in government. However, we believe the proposed rule creates uncertainty when it comes to certain industry events. Specifically, without clarification on which 501 (c)(6) organizations are exempt, the rule will limit interaction with the managed travel industry at meetings specifically designed to train government travel managers on industry best practices to reduce government costs and promote efficiencies. Additionally, OGE should clarify that the prohibition on attendance to events only applies to free attendance, not to events for which the government employee must pay to attend.

If promulgated, this rule will immediately impact participation in our annual event, the National Travel Forum (“NTF”). The NTF brings together government travel professionals who pay admission to learn from travel industry suppliers, professionally accredited travel managers, the General Services Administration, the Department of Veterans Affairs and others on ways to achieve cost-efficient and effective travel consistent with the federal government’s rules, regulations and policies. This event educates industry suppliers and government employees on the latest in logistics products and programs aimed at travel management. The government employees pay admission to our event – no free admission is offered – and many long time participants are not clear about whether the OGE rule prohibits their participation in the event.

The OGE rule continues to provide an exception for the educational and professional development activities of (1) nonprofit professional associations, (2) scientific organizations, and (3) learned societies. Notably, OGE’s proposed rule specifically excludes trade associations from the list of organizations that can extend invitations to government employees to attend widely attended gatherings. In its reasoning, OGE states, “Trade associations may sponsor educational activities for their members and even the public, but the primary concern of such associations generally is not the education and development of

members of a profession or discipline, which is the focus of the proposed exclusion.” This reasoning may well be true for some associations but is not true for all.

The proposed rule uses a Collins English Dictionary definition of the term professional association, a “body of persons engaged in the same profession, formed usually to control entry into the profession, maintain standards, and represent the profession in discussions with other bodies”. The reliance on this definition, rather than a regulatory definition, injects ambiguity and uncertainty in the application of exceptions. Specifically, it is unclear if a professional association such as GBTA meets the exception.

The rule as proposed specifically exempts all 501 (c)(3) organizations but makes no distinction between 501(c)(6) organizations that are business leagues and have corporate members versus 501 (c)(6) organizations such as GBTA that are comprised of individual travel professionals, set and maintain standards for accreditation of travel professionals, and represent the industry in discussions with other bodies. We are a member-based association of professionals that provides standards and accreditation to our travel professionals; as such, we interpret the proposed regulation to mean that we meet the standards for exclusion. Nonetheless, the proposed definition is not entirely clear, and it is specifically not clear with respect to government travel managers. This uncertainty will either cause government employees to avoid GBTA meetings such as the National Travel Forum or to seek guidance from the OGE on a routine basis. We urge OGE to clarify that some 501 (c)(6) organizations are indeed professional associations which meet the exclusion.

GBTA appreciates OGE’s efforts to improve government ethical standards. To avoid confusion that wastes productivity and costs jobs, OGE should clarify which 501 (c)(6) organizations meet the exception. Further, OGE should clarify that the prohibition on attendance to events only applies to FREE attendance, not to government employees who pay for attendance to the event.

Thank you for the opportunity to present our views on this proposed rule. Please do not hesitate to contact Patty Higginbotham (703-236-1102) if we can provide further information.

Sincerely,



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